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*Attorneys for Defendant USAA Casualty Insurance Company*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**CHRISTOPHER ORTIZ JR., an individual,**

**Plaintiff,**

v.

**USAA CASUALTY INSURANCE COMPANY**, a foreign corporation; **DOE INDIVIDUALS I-X**, inclusive; and **ROE CORPORATIONS I-X**, inclusive.

## Defendants

Case No. 2:23-cv-00554-GMN-EJY

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY**

**(FOURTH REQUEST)**

Plaintiff, Christopher Ortiz (“Plaintiff”), and Defendant, USAA Casualty Insurance Company (“Defendant”) have agreed to extend the discovery deadlines by 60 days. In support of this Stipulation the parties state as follows:

## A. DISCOVERY THAT HAS BEEN COMPLETED

1. On July 10, 2023, the parties conducted an initial FRCP 26(f) conference.
  2. On July 18, 2023, Plaintiff served his FRCP 26 Initial Disclosures.
  3. On July 18, 2023, Defendant served their FRCP 26 Initial Disclosures.
  4. Defendant subpoenaed Plaintiff's medical providers and pharmacies.
  5. On October 27, 2023, Defendant disclosed its FRCP first supplemental disclosures.

- 1       6. On September 19, 2023, Plaintiff served his FRCP first supplemental
- 2              disclosure.
- 3       7. Defendant subpoenaed Plaintiff's medical providers.
- 4       8. Defendants have served requests for production, and interrogatories on
- 5              Plaintiff.
- 6       9. On January 24, 2024, Defendant disclosed its FRCP second supplemental
- 7              disclosure.
- 8       10. On March 28, 2024, Plaintiff disclosed its FRCP second supplemental
- 9              disclosures.

10              **B. DISCOVERY REMAINING:**

- 11       1. Plaintiff's supplemental FRCP disclosures;
- 12       2. Defendant's supplemental FRCP disclosures;
- 13       3. Defendant written discovery requests;
- 14       4. Initial and supplemental expert disclosures;
- 15       5. Independent Medical Examination of Plaintiff
- 16       6. Deposition of Plaintiff;
- 17       7. Deposition of Defendant;
- 18       8. Depositions of the parties' lay witnesses;
- 19       9. Depositions of the parties' expert witnesses; and
- 20       10. Any other potential depositions or written discovery which may become
- 21              necessary as discovery continues.

22              **C. REASONS REMAINING DISCOVERY CANNOT BE COMPLETED WITHIN THE**  
23              **TIME SET BY PRIOR DISCOVERY PLAN:**

24       The parties have diligently engaged in discovery in this matter. The parties strongly  
25       believed settlement was possible in this case, and invested the last several months in that  
26       goal. Ultimately, the parties were not successful. Good cause exists to continue existing  
27       deadlines because the Parties agreed to pause expert discovery to invest that time and  
28       resources towards settlement. The parties now need time to engage experts and complete  
      their depositions, etc. with the goal of continuing settlement negotiations with the benefit of

1 expert opinions.

2 No party will be prejudiced by the extension, and the requested extension is made in  
3 good faith and not for purposes of delay. Based on the foregoing, the parties respectfully  
4 request that the Court grant their joint request to extend the deadline by 60 days in  
5 accordance with the requested amended discovery deadlines.

6 **D. PROPOSED SCHEDULE FOR COMPLETION OF DISCOVERY**

7 **Current Discovery Deadlines:**

8	Last day to amend pleadings and add parties	Closed
9	Last day to disclose initial experts:	June 7, 2024
10	Last day to disclose rebuttal experts:	July 8, 2024
11	Close of Discovery:	August 8, 2024
12	Last day to file Dispositive Motions:	September 9, 2024

13 **Proposed Discovery Deadlines:**

14	Last day to amend pleadings and add parties	Closed
15	Last day to disclose initial experts:	August 8, 2024
16	Last day to disclose rebuttal experts:	September 8, 2024
17	Close of Discovery:	October 8, 2024
18	Last day to file Dispositive Motions:	November 9, 2024

19 **E. CURRENT TRIAL DATE**

20 A trial date has not been set.

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1 DATED this 3<sup>rd</sup> day of June, 2024.

2 **THE POWELL LAW FIRM**

3 /s/ Benjamin Carman

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8 and

9 Benjamin Carman, Esq.  
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14 *Attorneys for Plaintiff*

DATED this 3<sup>rd</sup> day of June, 2024.

**SPENCER FANE, LLP**

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12 **ORDER**

13 IT IS SO ORDERED.

  
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U.S. MAGISTRATE JUDGE

14 Dated: June 3, 2024